

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT, E.D.N.Y.

★ FEB 26 2007 ★

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MISTER SOFTEE, INC.,
Plaintiff,

- against -

KOOL KAT TREATS LLC, ET AL.,
Defendants.
-----X

BROOKLYN OFFICE
FINAL JUDGMENT AND
PERMANENT INJUNCTION

CV-05-4111 (BMC)(ETB)

COGAN, District Judge.

The Court having entered its Order dated February 3, 2007, adopting the Report and Recommendation of Magistrate Judge Wall and granting plaintiff's motion for default judgment, it is hereby

ORDERED AND ADJUDGED, that plaintiff have judgment in the amount of \$360.15 against each of the defendants Advanced At, Inc., Dairy Line Corporation, Edward Ethan, Inc., Juan Maldonado, Napo Zhirzhan, Serob Nazretyan, and Stavros Sergiadis, severally and not jointly, plus costs in an amount to be taxed by the Clerk; and it is further

ORDERED, ADJUDGED AND DECREED, that each of the above-named defendants, along with their respective agents, employees and any person or entity acting in concert with them, is permanently enjoined from using Mister Softee's proprietary trademarks, trade names and trade dress or any imitation in any manner whatsoever; and it is further

ORDERED, ADJUDGED AND DECREED, that each defendant shall, within three (3) days from service of a copy of this Final Judgment and Permanent Injunction upon them, deliver up to plaintiff or destroy all labels, signs, prints packages, wrappers, receptacles, and advertisements in their possession bearing the word or mark "Mister Softee" or any reproduction, counterfeit, copy, or imitation thereof, and all plates, molds, matrices, and other means of making the same.

SO ORDERED.

/s/(BMC)

U.S.D.J. ✓

Dated: Brooklyn, New York
February 21, 2007